

Amendment No. 2 to SB2497

McNally
Signature of Sponsor

AMEND Senate Bill No. 2497*

House Bill No. 3533

by deleting subdivision (b)(1) in § 7-86-128 in Section 3 of the bill as amended by amendment with drafting code #1485233 and substituting instead the following:

(b)

(1)

(A) A statewide prepaid wireless emergency telephone charge of fifty-three cents (53¢), or an adjusted amount as provided in subdivision (b)(6), shall be imposed on each retail transaction in lieu of the charge imposed pursuant to § 7-86-108.

(B) Notwithstanding (b)(1)(A), if a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless device and a single, non-itemized price is charged for the service, then the seller may elect not to apply the service charge imposed by this subdivision (b)(1). For purposes of this subdivision (B), a minimal amount of service means an amount of service denominated as either ten (10) minutes or less or five dollars (\$5.00) or less.

AND FURTHER AMEND by deleting subdivision (b)(6) in § 7-86-128 in Section 3 of the bill as amended by amendment with drafting code #1485233 and substituting instead the following:

(b)

(6)

(A) If the emergency telephone service charge imposed under § 7-86-108(a)(1)(B)(i)(a) is increased or reduced pursuant to the provisions of such subdivision, then the prepaid wireless emergency

telephone charge imposed by subdivision (b)(1) shall be increased or reduced in proportion to such change.

(B) The proportional increase or reduction shall be effective on the first day of the first calendar month to occur at least sixty (60) days after notification is received by the department from the board as provided in § 7-86-108(a)(1)(B)(i)(b).

(C) The department shall provide notice on its web site of an increase or reduction that occurs pursuant to this subdivision (6) at least thirty (30) days before such change takes effect.

AND FURTHER AMEND by adding the following language to precede the last section and renumbering the remaining sections accordingly:

SECTION __. Tennessee Code Annotated, Section 7-86-108(a)(1)(B)(i)(b), is amended by deleting the language "shall notify each CMRS provider" in the first sentence of the subdivision and by substituting instead the language "shall notify the department of revenue and each CMRS provider".